



# Missouri Department of Natural Resources

## PUBLIC NOTICE

### DRAFT MISSOURI STATE OPERATING PERMIT

DATE: August 27, 2004

In accordance with the state Clean Water Law, Chapter 644, RSMo, Clean Water Commission regulation 10 CSR 20-6.010, and the federal Clean Water Act, the applicants listed herein have applied for authorization to either discharge to waters of the state or to operate a no-discharge wastewater treatment facility. The proposed permits for these operations are consistent with applicable water quality standards, effluent standards and/or treatment requirements or suitable timetables to meet these requirements (see 10 CSR 20-7.015 and 7.031). All permits will be issued for a period of five years, unless noted otherwise in the Public Notice for that discharge.

On the basis of preliminary staff review and the application of applicable standards and regulations, the Missouri Department of Natural Resources (MDNR), as administrative agent for the Missouri Clean Water Commission, proposes to issue a permit(s) subject to certain effluent limitations, schedules, and special conditions. The proposed determinations are tentative pending public comment.

Persons wishing to comment on the proposed permit conditions are invited to submit them in writing to the Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102, ATTN: Peter Goode, P.E., Chief, NPDES Permits and Engineering Section. Please include the permit number in all comment letters.

Comments should be confined to the issues relating to the proposed action and permit(s) and the effect on water quality. The MDNR may not consider as relevant comments or objections to a permit based on issues outside the authority of the Clean Water Commission, (see Curdt v. Mo. Clean Water Commission, 586 S.W.2d 58 Mo. App. 1979).

All comments must be postmarked by September 27, 2004 or received in our office by 5:00 p.m. on September 30, 2004. The requirement of a signed document makes it impossible to accept email comments for consideration at this time. Comments will be considered in the formulation of all final determinations regarding the applications. If response to this notice indicates significant public interest, a public meeting or hearing may be held after due notice for the purpose of receiving public comment on the proposed permit or determination. Public hearings and/or issuance of the permit will be conducted or processed according to 10 CSR 20-6.020.

Copies of all draft permits and other information including copies of applicable regulations are available for inspection and copying at DNR's website, <http://www.dnr.state.mo.us/wpscd/wpcp/homewpcp.htm>, or at the Department of Natural Resources, Water Protection Program, 205 Jefferson Street, P.O. Box 176, Jefferson City, Missouri 65102, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Public Notice Date: August 27, 2004  
Permit Number: MO-G685000  
General Permit

FACILITY NAME AND ADDRESS	NAME AND ADDRESS OF OWNER
Various throughout the state	Various throughout the state
RECEIVING STREAM & LEGAL DESCRIPTION	TYPE OF DISCHARGE
Various throughout the state	Hydrostatic testing of non-petroleum related pipelines and storage tanks, reissuance.

**STATE OF MISSOURI**  
**DEPARTMENT OF NATURAL RESOURCES**  
**MISSOURI CLEAN WATER COMMISSION**



**MISSOURI STATE OPERATING PERMIT**

**GENERAL PERMIT**

In compliance with the Missouri Clean Water Law, (Chapter 644 R.S. Mo. as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92<sup>nd</sup> Congress) as amended,

MO-G685000

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is authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein:

**FACILITY DESCRIPTION**

All Outfalls - SIC #4613

Hydrostatic testing of Non-Petroleum Related Pipelines and Storage Tanks.

This permit authorizes only wastewater, including storm waters, discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with Section 644.051.6 of the Law.

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Effective Date

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Stephen M. Mahfood, Director, Department of Natural Resources  
Executive Secretary, Clean Water Commission

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Expiration Date  
MO 780-0041 (10-93)

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Jim Hull, Director of Staff, Clean Water Commission

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS					PAGE NUMBER 2 of 5	
					PERMIT NUMBER MO-G685000	
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>All Outfalls</u>						
Flow	MGD	*		*	**	24 hr. estimate
Total Suspended Solids	mg/L	100		50	**	grab
Oil and Grease	mg/L	15		10	**	grab
pH - Units	SU	***		**	**	grab
Chemicals Stored in Tanks or Transported by Pipeline Prior to Testing	****	****		***	**	grab
MONITORING REPORTS SHALL BE SUBMITTED WITHIN 15 DAYS OF DISCHARGE (See Reg. Pg. 3 of 4). THERE SHALL BE NO DISCHARGE OF SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
B. STANDARD CONDITIONS						
IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Part I STANDARD CONDITIONS DATED October 1, 1980</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.						

MO 780-0010 (8/91)

#### A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

- \* Monitoring requirement only.
- \*\* One sample per discharge event taken during the first sixty (60) minutes of event.
- \*\*\* pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.0-9.0 pH units.
- \*\*\*\* All chemicals present in discharge are limited to 2.5 times the quantification level set by EPA Standard Methods, or if no quantification level, 1.0 µg/L, with the exception of persistent, bio-accumulative man-made toxic chemicals as listed in 10 CSR 20-7.031, which are not to be discharged.

#### APPLICABILITY

1. This permit authorizes the discharge of the water used for hydrostatic testing of non-petroleum related pipelines and storage tanks in the State of Missouri.
2. If the applicant's facility is within one-half mile upstream of habitat for threatened or endangered aquatic species, the applicant shall have contacted the U.S. Fish and Wildlife Service for their review of the permit application and received their determination that the issuance of this permit shall be protective. The applicant shall submit documentation of this decision along with the permit application to the department.

APPLICABILITY (continued)

3. If at any time the Missouri Department of Natural Resources determines that the quality of waters of the state may be better protected by requiring the owner/operator of the permitted site to apply for a site specific permit, the department may do so.
4. If at any time the owner desires to apply for an individual NPDES permit, the owner may do so.
5. This permit does not apply to water from petroleum-related oil and gas pipelines and storage tanks within the property of refinery complexes, pipeline terminals, pumping stations, or transfer stations.
7. This permit does not authorize the discharge of hydrostatic testing water containing dyes.

REQUIREMENTS

1. Note: Requirements do not supersede nor remove liability for compliance with county and other local ordinances.
2. At least thirty (30) days or within a reasonable notice period prior to a discharge, the owner/operator must notify the Water Protection Control Program in writing. Submitted information must include products stored or transported prior to testing, the date, time, and exact location (township/range information as follows: \_\_<sup>1</sup>/<sub>4</sub>, \_\_<sup>1</sup>/<sub>4</sub>, Sec. \_\_, Township \_\_, Range \_\_, \_\_ County) of the proposed discharge. This permit still must be obtained **prior** to any discharge event.
3. Within thirty (30) days of each discharge event, the owner/operator shall submit effluent sample analysis results to the Water Protection Program.

SPECIAL CONDITIONS

1. At no time shall the discharge of test water impart a visible sheen to the receiving stream.
2. All outfalls must be clearly marked in the field.
3. Good housekeeping practices shall be maintained on the site to keep solid waste from entry into waters of the state.
4. Substances regulated by federal law under the Resource Conservation and Recovery Act (RCRA) or the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) that are transported, stored, or used for maintenance, cleaning or repair shall be managed according to the provisions of RCRA and CERCLA.
5. This permit may be reopened and modified, or alternatively revoked and reissued, to:
  - (a) Comply with any applicable effluent standard or limitation issued or approved under Sections 301(b) (2) (C) and (D), 304(b) (2), and 307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
    - (1) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
    - (2) controls any pollutant not limited in the permit.
  - (b) Incorporate new or modified effluent limitations or other conditions, if the result of a waste load allocation study, toxicity test or other information indicates changes are necessary to assure compliance with Missouri's Water Quality Standards.
  - (c) Incorporate new or modified effluent limitations or other conditions if, as the result of a watershed analysis, a Total Maximum Daily Load (TMDL) limitation is developed for the receiving waters which are currently included in Missouri's list of waters of the state not fully achieving the state's water quality standards, also called the 303(d) list.The permit as modified or reissued under this paragraph shall also contain any other

requirements of the Clean Water Act then applicable.

SPECIAL CONDITIONS (continued)

6. Changes in Discharges of Toxic Substances

The permittee shall notify the Director as soon as it knows or has reason to believe:

- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
  - (1) One hundred micrograms per liter (100 µg/L);
  - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
  - (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
  - (4) The level established in Part A of the permit by the Director.
- (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the permit application.

7. Water Quality Standards

- (a) Discharges to waters of the state shall not cause violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
- (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state, including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
  - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrid or turbid water, or harmful bottom deposits or prevent full maintenance of beneficial uses;
  - (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
  - (3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
  - (4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
  - (5) There shall be no significant human health hazard from incidental contact with the water;
  - (6) There shall be no acute toxicity to livestock or wildlife watering;
  - (7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
  - (8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.

REPORTING OF EFFLUENT VIOLATIONS

If any of the sampling results from any of the outfall(s) shows any violation of the permit discharge limitations, written notification shall be made to the Department of Natural Resources within five (5) days of notification of analytical results. Notification shall indicate the date(s) of sample collection, the analytical results, and permit number and shall include a statement concerning the revisions or modifications in management practices that are being implemented to address the violation of the limitations that occurred.

#### RECORDS RETENTION AND REPORTING

All sampling data shall be maintained by the permittee for a period of five (5) years and shall be supplied to the Department of Natural Resources upon written request (supersedes Part I. Section A: 7. Records Retention). A copy of all of the sampling data must be submitted with an application for reissuance of this permit.

#### TERMINATION OF PERMIT

This permit may be terminated when activities covered by this permit have ceased or if a transfer of ownership of the facility and its activities has been made. If such a termination is sought, the permittee shall submit Form H, Termination of a General Permit.

#### PERMIT TRANSFER

This permit may be transferred to a new owner by submitting an "Application for Transfer of Operating Permit" signed by the seller and buyer of the facility, along with the appropriate modification fee.

#### RENEWAL OF PERMIT

The permittee will receive notification of the expiration date of the permit 180 days before the expiration date listed on page 1 of this permit. In order for the permit to be re-issued, the permittee should submit appropriate application form(s) at least 90 days before the expiration of the permit.

#### DUTY OF COMPLIANCE

The permittee shall comply with all conditions of this general permit. Any noncompliance with this general permit constitutes a violation of Chapter 644, Missouri Clean Water Law, and 10 CSR 20-6.200. Noncompliance may result in enforcement action, termination of this authorization, or denial of the permittee's request for renewal.

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Date of Fact Sheet: July 30, 2004  
Date of Public Notice: August 27, 2004

FACT SHEET  
General Permit  
Hydrostatic Testing Non-Petroleum Related  
Pipelines and Storage Tanks  
NPDES No. MO-G685000

The Federal Water Pollution Control Act ("Clean Water Act" Section 402 Public Law 92-500 as amended) established the National Pollutant Discharge Elimination System (NPDES) permit program. This program regulates the discharge of pollutants from point sources into the waters of the United States, and the release of stormwater from certain point sources. All such discharges are unlawful without a permit (Section 301 of the "Clean Water Act"). After a permit is obtained, a discharge not in compliance with all permit terms and conditions is unlawful. Permits in Missouri are issued by the Director of the Department of Natural Resources under an approved program, operating in accordance with federal and state laws (Federal "Clean Water Act" and "Missouri Clean Water Law" Section 644 as amended).

State Programs have the authority to issue general permits to sources of discharge if the Director feels that the discharge is appropriately controlled by a general permit. Water discharged from hydrostatic testing of non-petroleum related pipelines and storage tanks is a point source, and consequently is subject to permit requirements. Because the discharges authorized by this permit covers facilities which: involve the same or substantially similar types of operations; discharge the same types of wastes; require the same operating conditions; or require the same monitoring; the Department has determined that under the requirements for General Permits, the discharges authorized by this permit are eligible for a general permit.

The proposed general permit is for discharge of water from hydrostatic testing of non-petroleum related pipelines and storage tanks located within the state of Missouri. This proposed permit will allow the discharge of hydrostatic-testing water into waters of the state. The treatment systems will vary from site to site dependent upon waste characteristics, concentration and receiving stream standards.

The proposed general permit discharge does not authorize the discharge of hydrostatic testing water from pipelines and storage tanks that held petroleum related oil and gas.

The 10 CSR 20-7.031 Missouri Water Quality Standards, Missouri Department of Natural Resources (the Department) "defines the Clean Water Commission water quality objectives in terms of water uses to be maintained and the criteria to protect those uses."

The receiving stream's beneficial water uses to be maintained have been assumed to be: livestock watering, wildlife watering, and protection of aquatic life.

To protect these beneficial uses and the water quality of the receiving stream, effluent limitations are being established under federal and state laws and Best Management Practices (BMPs) are required.

The general permit requires that the owner/operator notify DNR's Water Protection Program, in writing, of the date, time and exact location of proposed discharges, and of products stored or transported prior to testing.

A copy of the public notice and this fact sheet are being forwarded to the District Engineer of the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, the Environmental Protection Agency and the Missouri Department of Conservation. Other interested individuals may obtain a copy on request by writing to the address listed below for comment letters.

This permit will expire five (5) years from the date of issuance.

The proposed determinations of the draft permit are tentative pending the public notice process. Persons wishing to comment upon or object to the proposed determinations are invited to submit them in writing to: Department of Natural Resources, Water Protection and Soil Conservation Division, (Missouri Clean Water Commission), P.O. Box 176, Jefferson City, Missouri 65102, ATTN: Peter Goode, Chief, NPDES Permits and Engineering Section. Please include the application number of the draft permit in all comment letters.

Copies of all draft permits, comments, and other information are available for inspection and copying at the Department of Natural Resources, Water Protection Program, (Missouri Clean Water Commission), P.O. Box 176, 205 Jefferson Street, Jefferson City, Missouri 65102.